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OFFICE OF PETITIONS

In re Application of :  
Patricia Ann Piers et al :  
Application No. 10/768,755 :  
Filed: January 30, 2004 :  
Attorney Docket No. 2479-23 :

ON PETITION

This is a decision on the petition, filed May 5, 2006, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is GRANTED.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on February 14, 2006, in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.<sup>1</sup>

There is no indication that the person signing the instant petition was ever given a power of attorney or authorization of agent to prosecute the above-identified application. If the person signing the instant petition desires to receive future correspondence regarding this application, the appropriate power of attorney or authorization of agent must be submitted. While a courtesy copy of this decision is being mailed to the person signing the instant petition, all future correspondence will be directed to the address currently of record until such time as appropriate instructions are received to the contrary.

Telephone inquiries should be directed to the undersigned at (571) 272-3208.

<sup>1</sup> The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Issue Fee Transmittal Form PTOL-85(b), which includes the following language thereon: "Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or re-apply any previously paid issue fee to the application identified above." Petitioner is advised that, whether a fee is indicated as being due or not, the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment. Note the language in bold text on the first page of the Notice of Allowance and Fee(s) Due (PTOL-85).

The examiner of Technology Center AU 2873 will consider the request for continued examination under 37 CFR 1.114.

*Karen Creasy*  
Karen Creasy  
Petitions Examiner  
Office of Petitions

cc:

**DAVID WEBER**  
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Paper No. \_\_\_\_\_

Date : May 8, 2006

TO : Director, Office of Patent Publication

FROM : Office of the Deputy Commissioner  
for Patent Examination Policy

SUBJECT : Withdrawal from Issue of

Applicant(s) : Patricia Ann Piers et al

Application No. : 10/768,755

Filed : January 30, 2004

The above-identified application has been assigned Patent No. 7,048,377 and an issue date of May 23, 2006.

It is hereby directed that this application be withdrawn from issue at the request of the applicant.

Do not refund the issue fee.

The following erratum should be published in the Official Gazette if the above-identified application is published in the OG of May 23, 2006:

"All reference to Patent No. 7,048,377 to Patricia Ann Piers of Netherlands for METHODS OF OBTAINING OPHTHASIC LENSES PROVIDING THE EYE WITH REDUCED ABERRATIONS appearing in the Official Gazette of May 23, 2006 should be deleted since no patent was granted."

Karen Creasy  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

cc: Paul Harrison, MDW-4B03, (FAX-273-5468)  
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